GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Commercial Taxes Department - Surprise check conducted over the Integrated Check Post, Bheemunivaripalem, Tada Mandal, SPSR Nellore District on 20.01.2016 – Allegations of Corruption – Common Disciplinary proceedings initiated - Inquiry under Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 - Articles of Charge framed against Sri Kukkala Linga Rao, Assistant Motor Vehicle Inspector, Transport Department – Orders - Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.648 **Dated:07.06.2019**
Read:

G.O.Ms.No.311, Revenue (Vigilance – II) Department, Dated 07.06.2019.

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O R D E R :

In continuation of the orders issued under Rule 24 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 in the reference read above, it is considered necessary to hold an enquiry against Sri Kukkala Linga Rao, Assistant Motor Vehicle Inspector, Transport Department, Integrated Check Post, Bheemunivaripalem, Tada Mandal, SPSR Nellore District under Rule 20 of the said rules.

2. The substance of the imputation of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I) and the imputation of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure-III & IV).

3. Sri Kukkala Linga Rao, Assistant Motor Vehicle Inspector, Transport Department, Integrated Check Post, Bheemunivaripalem, Tada Mandal, SPSR Nellore District is directed to submit within ten days of the receipt of this order a written statement of his defense.

4. He is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri Kukkala Linga Rao, Assistant Motor Vehicle Inspector, Transport Department, Integrated Check Post, Bheemunivaripalem, Tada Mandal, SPSR Nellore District is further informed that if he does not submit his written statement of defense on or before the date specified in para 3 above, or otherwise fails or refuses to comply with the provisions of Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 or the orders / directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex-parte.

6. Attention of Sri Kukkala Linga Rao, Assistant Motor Vehicle Inspector, Transport Department, Integrated Check Post, Bheemunivaripalem, Tada Mandal, SPSR Nellore District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to

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his service under Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

To

Sri Kukkala Linga Rao, Assistant Motor Vehicle Inspector, Transport Department, Integrated Check Post, Bheemunivaripalem, Tada Mandal, SPSR Nellore District (w.e, Annexures-I to IV) **through** the Transport, Roads & Buildings (Vigilance.Tr) Department, A.P.Secretariat, Velagapudi (with a request to serve the order on the individual and send the served copy with dated signature to Government)

The Transport, Roads & Buildings (Vigilance.Tr) Department, A.P.Secretariat, Velagapudi.

The Commissioner of Transport, AP, 3rd Flore, NTR Administrative Block, PN Bus Station, Vijayawada.

Copy to:

The Director General, Anti Corruption Bureau, Pandit Nehru Bus Station, NTR Administration Block, 2nd Floor, Andhra Pradesh, Vijayawada.

SF/SC.

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SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLE OF CHARGE FRAMED AGAINST SRI KUKKALA LINGA RAO S/O ANJANEYULU, AGE: 49 YEARS, OCC: ASSISTANT MOTOR VEHICLE INSPECTOR, TRANSPORT WING ICP, B.V. PALEM, TADA(M), SPSR NELLORE DISTRICT

That Sri K Linga Rao S/o. Anjaneyulu, Occ: Assistant Motor Vehicle Inspector, being the Assistant Motor Vehicle Inspector of Integrated Check Post, joined in Government Service on 12.03.2013, as Assistant Motor Vehicle Inspector and working as thus at Integrated Check Post, B.V.Palem, Tada, Nellore District on deputation since 22.08.2015. His date of birth is on 15.08.1968 and date of retirement on attaining the age of superannuation is 31.08.2028. He is here-in-after referred to as Government Servant. While functioning as Assistant Motor Vehicle Inspector, Integrated Check Post, B.V.Palem, Tada (Mandal) committed grave misconduct in as

CHARGE:- That SO-1 Sri K. Linga Rao, Occ: Assistant Motor Vehicle Inspector, Transport Department, working in Integrated Check Post, BV Palem, Tada Mandal, SPSR Nellore District being a public servant on duty together with One Technical Support Engineer (Out Sourcing Employee) and two Home Guards found in the Transport wing an unaccounted amount of Rs.46,640/- and failed to account for the unaccounted amount found at Transport wing and also allowed the crew of the vehicles passing through the check post to pay the amounts ranging from Rs.100/- to Rs.300/- and allowing them to flouted the rules. The usual collection on 20.01.2016 of Rs.9,600/- was seized along with unaccounted cash.

Thus, Sri K Linga Rao, Assistant Motor Vehicle Inspector by the above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby violated Rule 3 (1) & (2) and 9 (8) (A) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

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SECTION OFFICER

ANNEXURE – II

STATEMENT OF IMPUTATIONS IN SUPPORT OF ARTICLE OF CHARGE FRAMED AGAINST SRI. KUKKALA LINGA RAO S/O ANJANEYULU, AGE: 49 YEARS, OCC: ASSISTANT MOTOR VEHICLE INSPECTOR, TRANSPORT WING ICP, B.V. PALEM, TADA(M), SPSR NELLORE DISTRICT

That Sri K Linga Rao S/o. Anjaneyulu, Assistant Motor Vehicle Inspector, Integrated Check Post, BV Palem, Tada Mandal is native of Ravinuthala Village, Prakasam District and joined in Government Service on 12.03.2013, as Assistant Motor Vehicle Inspector and working as thus at Integrated Check Post, B.V.Palem, Tada, Nellore District on deputation since 22.08.2015. His date of birth is on 15.08.1968 and date of retirement on attaining the age of superannuation is 31.08.2028. He is here-in-after referred to as Government Servant.

CHARGE:- That Sri K. Linga Rao, Occ: Assistant Motor Vehicle Inspector, Transport Department, working in Integrated Check Post, By Palem, Tada Mandal, SPSR Nellore District being a public servant on duty together with One Technical Support Engineer (Out Sourcing Employee) and two Home Guards found in the Transport wing an unaccounted amount of Rs.46,640/- and failed to account for the unaccounted amount found at Transport wing and also allowed the crew of the vehicles passing through the check post to pay the amounts ranging from Rs.100/- to Rs.300/- and allowing them to flouted the rules. The usual collection on 20.01.2016 of Rs.9,600/- was seized along with unaccounted cash.

STATEMENT OF IMPUTATION WITH FACTS AND EVIDENCE:

On credible information that the officers and staff of Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore District are indulging in corrupt practices and collecting illegal gratifications/mamools from the crew of vehicles plying through Integrated Check Post, B.V.Palem, a surprise check was conducted over Transport Wing, Commercial Taxes Incoming and Outgoing Wings of Integrated Check Post, B.V.Palem on 20.01.2016 from 07.45 am to 12.30 am with three teams headed by the Deputy Superintendent of Police, Anti Corruption Bureau Nellore Range, Nellore in the presence of mediators. The surprise check revealed the following irregularities and violations. The officials of Transport Wing are collecting mamools ranging from Rs.100/- To Rs.300/- from the crew of the vehicles as usual practice for ignoring the violations. At the time of surprise check 1) Sri K Linga Rao, Assistant Motor Vehicle Inspector 2) Sri B Vishnu Narayana Reddy, Technical Support Engineer (Outsourcing Basis) 3) Sri K Srinivasulu, Home Guard 4) Sri K. Kiran Kumar is on duty and the same was reflected in the Duty Register.

During the course of surprise check, on verification of the personal cash with employees who are duty. Out of four employees, one of the employee namely Sri B Vishnu Narayana Reddy, Technical Support Engineer (Outsourcing) had found with an excess amount of Rs.46,640/- was seized which was found excess ie., Collected by Technical Support engineer, as illegal gratification in collusion with Assistant Motor Vehicle Inspector from the crew of the vehicles passing on through the Integrated Check Post by abusing their official position without conducting physical verification of the vehicles, connected records of the goods there by caused wrongful loss to the Government Exchequer and wrongful gain for themselves. The personal Cash register of Technical Support Engineer/Out sourcing employees of Transport Check post Wing is seized from the Assistant Motor Vehicle Inspector which was maintained from 01.01.2016 after duly attested by we the mediators and Deputy Superintendent of Police. Further the Deputy Superintendent of Police seized the unaccounted amount of Rs.46,640/- and got recorded the statement of the Sri B Vishnu Narayana Reddy.

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During the course of surprise check, It was noticed that the B.Vishnu Narayana Reddy, Technical Support Engineer found entering the data into the computer and simultaneously stamping on the records of four wheelers which are entering into the AP State, by sitting infront of the computer and collecting Rs.100/- to Rs.300/- from the drivers/cleaners of four wheelers especially loaded lorries and vans came into the premises of check post. Stamping being made with one round rubber stamp with seal of Transport Department, Government of Andhra Pradesh, Integrated Check Post, B.V.Palem, SPSR Nellore District, Andhra Pradesh (in English) were also found upon the Table. On verification of the unaccounted amount kept on the table, it arrives at Rs.9,600/-. The Deputy Superintendent of Police seized the unaccounted amount of Rs.9,600/- tor further verification. At random crew of the vehicles who paid mamools to the officials of Transport Wing Check Post were secured, examined and recorded their statements.

When Charged Officer Sri K Linga Rao, Assistant Motor Vehicle Inspector confronted the version of the crew of vehicles who paid mamools and when the Deputy Superintendent of Police asked about the accountability of unaccounted amount of Rs.9,600/- he kept silent and did not say anything. During the course of his explanation he failed to produce any record to prove the same and it is clearly mentioned in the statement of crew of the vehicles. They categorially stated the staff of Transport Wing are collecting mamools for free passage of the vehicles without putting any obstacles. There it is proved Charged Officer in connivance collected mamools and abused his official position which is unbecoming on the part of Government Servant. Hence, the allegation of Charged Officer Sri K Linga Rao, Assistant Motor Vehicle Inspector was substantiated.

Thus the Government Servant Sri K Linga Rao S/o. Ananjaneyulu, Age: 48 years, Occ: Assistant Motor Vehicle Inspector, Transport Department, working in Transport Wing of Integrated Check Post, Bheemuni Vari Palem Village, Tada Mandal of SPSR Nellore District by his above-mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby contravened Rule 3 (1) (2) & 9 (8) (A) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Thus the Government Servant has therefore rendered himself liable for departmental action for major penalty for his misconduct.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

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SECTION OFFICER

ANNEXURE - III

LIST OF RECORDS

1) Duty Register Transport Wing, ICP, B.V. Palem, Tada
2) Personal Cash Register ICP, B.V. Palem, Tada
3) Personal Cash Register of Outsourcing Employees, ICP, B.V. Palem, Tada
4) Duty Chart of AMVIs of Transport Wing, ICP, B.V. Palem, Tada(M), SPSR Nellore District - for the month of January, 2016.
5) Rough sketch of scene of offence, Dt: 20.01.2016.
6) Surprise Check Proceedings drafted on 20.01.2016 for the surprise check conducted over the ICP, B.V. Palem, Tada Mandal, SPSR Nellore District
7) Circular Memo No.9/15153/V3/1998 Dated: 15.02.2007 of O/o. The Transport Commissioner, Hyderabad
8) Letter of Deputy Transport Commissioner, Nellore in Lr.R.No.230/A1/2016 Dated: 23.01.2016 - Containing the service particulars of Sri K. Linga Rao, Occ: AMVI, Transport Department.
9) Appointment/posting order of O/o. The Deputy Transport Commissioner, Nellore vide R.No.6052/A3/2013 dated: 24.04.2014 to Sri B.Vishnu Narayana Reddy, Technical Support Engineer (Outsourcing).
10) Signed Statements of
    a) Sri Lavadya Raju S/o. Pimpiya, Profession: Driver, Age: 27 years, R/o: 6-2 Hesing thanda, Husnabad, Akkannapeta, Karim Nagar, Telangana State,
    b) Sri Lakshmisetty Pulliah S/o. Subbaiah, Profession: Driver, Age: 40 Years, R/o: Cherukri Bazar, Jaggaiahpeta, Krishna District, Andhra Pradesh
    c) Sri Khandaswamy Ayyanar S/o. Khandaswamy, Age: 32 Years, R/o: D.No.2/60 A, Tuttikudi, Chillantam, Vottatipidaram, Chennai, Tamil Nadu

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

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SECTION OFFICER

ANNEXURE - IV

LIST OF WITNESSES

1) Sri Lavadya Raju S/o. Pimpiya, Profession: Driver, Age: 27 years, R/o: 6-2 Hesing thanda, Husnabad, Akkannapeta, Karim Nagar, Telangana State, Vehicle No: AP TS 02 UA 0667, Load: Iron Coils from Chennai to Nagapur.

   He speaks about paying amount as mammool as routine process to the officials of Transport wing check Post for not looking into the violations committed in transportation of goods and materials.
2) Sri Lakshmisetty Pulliah S/o. Subbaiah, Profession: Driver, Age: 40 Years, R/o: Cherukri Bazar, Jaggaiahpeta, Krishna District, Andhra Pradesh, Vehicle No. AP 07 TT 5929, Load: Iron Bars from Viskhapatnam to Perambadur.

   He speaks about paying amount as mammool as routine process to the officials of Transport wing check Post for not looking into the violations committed in transportation of goods and materials.
3) Sri Khandaswamy Ayyanar S/o. Khandaswamy, Age: 32 Years, R/o: D.No.2/60 A, Tuttikudi, Chillantam, Vottatipidaram, Chennai, Tamil Nadu, Vehicle No. TN 69 AC 1666 Load: Zipsum, from Chennai to Krishnapatnam.

   He speaks about paying amount as mammool as routine process to the officials of Transport wing check Post for not looking into the violations committed in transportation of goods and materials.
4) Sri Borra Vishnu Narayana Reddy, S/o. Venkateswara Reddy, Age: 31 Years, Occ: Technical Support Engineer (Out Sourcing Employee), Transport Department, ICP, BV Palem, Tada Mandal, SPSR Nellore District Nio: D.No.16-166, Pittuvaripalem Village, Khajipalem Post, Pittuvaripalem Mandal, Guntur District

   He speaks about collecting mamools from the crew of the vehciles plying through Check Post and keeping of unaccounted amount.
5) Sri Chintapatri Soma Sekhar S/o Ramaiah, Age: 40 years, Asst. Treasury Officer, O/o. DTO, Nellore R/o Flat No.5, Manasvi Kuteer, Magunta Lay Out, Nellore, SPSR Nellore District. (Mediator No.1)

   He is the mediator, he speaks about the contents of the surprise check proceedings at the time of surprise check over the Transport wing Check Post on 20.01.2016.
6) Sri Chilakamarti Venkata Krishna S/o Late Surya Narayana Murthy, Age: 32 years, Senior Assistant, O/o. DTO, Nellore R/o: LIG-II, APHB Colony, Near Collector Bungalow, Srikakulam. (Mediator No.2)

   He is the mediator, he speaks about the contents of the surprise check proceedings at the time of surprise check over the Transport wing Check Post on 20.01.2016.
7) Sri T. Prabhakar, the then Dy.Supdt. of Police, ACB, Nellore Range, Nellore now working as DSP, ACB, Ongole, Prakasam District.

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